

REMARKS

As a preliminary matter, Applicant wishes to thank the Examiner for the courtesy she extended to the undersigned in their telephone conference of February 8, 2004.

This Amendment is submitted in response to the Office Action mailed November 26, 2004. Claims 1-24 are pending in the present application. Claims 1-4, 8-14 and 17-24 stand rejected and claims 5-7, 15 and 16 stand objected to. By this amendment, claims 5 and 8-25 are cancelled without prejudice to filing a continuation/divisional application, claims 1, 3 and 6 are amended and claims 25-60 are added. It is respectfully submitted that the pending claims define allowable subject matter.

The drawings stand objected to. In the February 8, 2005 telephone conference, it was agreed that the last sheet of drawings (sheet 6) would be amended so that FIG. 8 would appear at the top of the sheet and FIG. 9 at the bottom of the sheet.

Furthermore, in that same telephone conference, it was agreed that a portion of the objections to the specification need not be responded to. Specifically, Applicant need not respond to:

- a. Pg. 1, lines 1-2, examiner suggests applicant delete these lines.
- d. Pg. 2, examiner suggests applicant move Pg. 3, line 1 to Pg. 2, line 11.
- e. Pg. 4, examiner suggests applicant move Pg. 5, line 1 to Pg. 4, line 21.
- h. Pg. 6, examiner suggests applicant move Pg. 7, line 1 to Pg. 6, line 4.

(Office Action, page 3, lines 3-12). With respect to the other objections, Applicant has amended the specification as suggested by the Examiner. No new matter is added.

Claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by Dambacher, U.S. Patent No. 5,521,943 ("*Dambacher*"). Claim 5 is cancelled and claim 1 is amended to included the features of allowable claim 5. Applicant submits that such amendment overcomes the §102(b) rejection.

It is well established that anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. As such, for

AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes changes sheet 6. This sheet replaces the original sheet 6. In the drawings, the position of FIGS. 8 and 9 are changed so that FIG. 8 is at the top of the sheet and FIG. 9 is at the bottom, as requested by the Examiner.

Attachment: Replacement Sheet

an anticipation rejection, all of the elements and limitations of the claim must be found within a single prior art reference. Applicant respectfully submits that the prior art does not disclose each element of claims 1-3. For example, claim 1 is amended to recite “a receiver comprising a demultiplexer, said receiver for acquiring said composite stream, and said demultiplexer comprising a phase locked loop for generating the first clock frequency using said second clock frequency” among other features. The *Dambacher* reference does not disclose or suggest at least this claim limitation, and therefore Applicant believes that claim 1 is allowable. Claims 2 and 3 depend from claim 1 and are believed allowable for all the reasons provided.

Claims 9-14 and 17 stand rejected under 35 U.S.C. §102(a) as being anticipated by Sporer et al., U.S. Patent No. 6,091,778 (“*Sporer*”). Claims 9-14 and 17 are cancelled without prejudice to filing a continuation/divisional application. Therefore the rejection of claims 9-14 and 17 is moot.

Claims 4, 8 and 21-24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Dambacher* as applied to claim 1 in view of Pereira et al., (“*Pereira*”). Claims 8 and 21-24 are canceled without prejudice to filing a continuation/divisional application. Claim 4 depends from 1, recites additional features thereto, and is believed allowable for all the reasons provided with respect to claim 1.

Claims 18-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Sporer* as applied to claim 12 in view of *Dambacher*. Claims 18 and 19 are canceled without prejudice to filing a continuation/divisional application. Therefore, the rejection of claims 18-19 is now moot.

Claim 20 stands rejected under 35 U.S.C. §103(a) as being unpatentable by *Sporer* as applied to claim 12 in view of *Pereira*. Claim 20 is cancelled without prejudice to filing a continuation/divisional application. Therefore the rejection of claim 30 is now moot.

New claims 25-60 are added. New claims 34-52 include the features of allowable claim 5, among other features; new claims 26-29 and 57-60 include the


features of allowable claim 6, among other features; while new claims 30-33 and 53-56 include the features of allowable claim 7, among other features.

It is respectfully submitted that the pending claims are allowable. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Please charge any required fees not paid herewith or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

Date: February 14, 2005



Timothy L. Harney
Registration No. 38,3174
Attorney for Applicant

McAndrews, Held & Malloy, Ltd.
500 West Madison Street, 34th Floor
Chicago, Illinois 606631
(3312) 775-8000